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CHAMBERS OF
COLLEEN McMAHON

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March 12, 2007

By Federal Express

Honorable Colleen McMahon
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

Honorable Colleen McMahon
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 640
New York, New York 10007-1312

MEMO ENDORSED

Re: Barbara Mei and Brendan Elliott, et.al., Plaintiffs v. City of New York, et.al., Defendant,
Docket No. USDC SDNY 06 Civ.00296 (CM)(LMS)

Dear Judge McMahon:

Per your order issued at our last conference on January 5, 2007, enclosed is our Amended Complaint. We are also sending a copy of the Amended Complaint to Scot Gleason, Esq. of the Corporate Counsel office of the City of New York.

Also enclosed is a copy of our 60-day notices under the Endangered Species Act ("ESA") and Clean Water Act ("CWA"), which Mr. Gleason has already received.

Although we have fully prepared our Amended Complaint detailing our Federal claims, in advance of your March 16th deadline, we are unable to file this Amended Complaint until April 9, 2007, due to the requirements of the 60-day notice provisions under the ESA and CWA.

The notice of claim letters were delayed in part as the result of good faith settlement discussions with Mr. Gleason, as counsel for Defendant, which immediately followed our last conference before Your Honor, as well as further due diligence in preparation of the notices themselves.

The attached Amended Complaint is in final form, and Defendant may begin preparing its Answer, so as not to delay this matter from moving forward.

Accordingly, we request an extension of time from March 16, 2007 until April 10, 2007 in order to file the attached Amended Complaint.

Thank you again for your consideration and courtesies.

Respectfully,



Steven J. Spiegel (SJS 0410)



Douglas M. Jones (DMJ 8651)

cc (by fax and by mail):

Jeffrey D. Friedlander
Acting Corporate Counsel of the
City of New York
Attn: Scot C. Gleason, Esq.
100 Church Street
New York, New York 10007